

Metropolitan Detention Center  
Michael Smith 06808-748  
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Case number: 14-CR-485 (S-1)  
February 16, 2016

The Honorable Joseph F. Bianco  
United States District Court  
Eastern District of New York  
Central Islip, New York 11722

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ **FEB 24 2016**

LONG ISLAND OFFICE

Dear Judge Bianco,

I am writing to you to make this court aware of the grave injustice that was committed against me. On November 09, 2015, I was scheduled to begin Jury Selection, but, I also had petitioned this court for new counsel, because Mr. John Wallerstein was exhibiting unethical behavior prior to that court date. However due to my nervousness and shock as any normal person would be in, I was not able to express what was happening to me. Now that I have had proper amount of time to go over the events of November 09, 2015, I realized that there are a few constitutional rights of mine that were clearly violated during my plea agreement, including but not limited to all the erroneous and malicious advice from my attorney.

To begin with, your Honor, I have enclosed a copy of the handwritten script that my attorney, Mr. Wallerstein, gave me to say on the record in your courtroom. I was literally threatened and was demanded that I recite these exact words on the record, or the AUSA would not accept the plea agreement that he had just gave me minutes earlier to agree to. Out of fear ignorance and a state of shock, I did as was demanded of me by my attorney and the AUSA. However, the handwritten script is my proof to this court that accepting the current plea agreement was not on my own free will, nor was it a truthful admission from me of my role in this conspiracy. The enclosed script that my attorney co-authored with the AUSA that I was threatened and forced to read, is filled with statements that are totally untrue, damning misinformation that left me open for enhancements, superseeding indictment, and labeled me as an informant. Those are not my words. We never sat down together and drafted the words that I said on record. Those are somebody words who wanted to leave no doubt of a person's guilt in a lot of different areas.

Judge Bianco, my attorney, Mr. Wallerstein, was negligent, ineffective and inadequate in his representation on my behalf. What criminal attorney in his right legal mind would give his client something like this to read in open court!!! There are references in this script that I was threatened and forced to read that I was not even charged with. The contents of the handwritten script that was jointly written by my attorney and the AUSA is proof of malicious intent involved here. The inquiry between you and I, during my plea agreement acceptance is supposed to be untainted and basically sacred.

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EDNY PRO SE OFFICE

and assistance. I am, respectfully, asking for the fairness that my plea agreement that was entered on November 09,

The entire proceeding has been tainted. Mr. Wallerstein has never has my best interest in mind. Instead, he, maliciously, allowed me to get a 2-point enhancement for obstruction of justice, when it was him who put the motion in; however, I was the one, unfortunately, who got penalized.

To conclude, your Honor, the entire proceeding has been tainted, due to my attorney inadequateness and ineffective representation and assistance. I am, respectfully, asking the court out of fairness that my plea agreement that was entered on November 09, 2015, be withdrawn, and new counsel be given to me, and importantly, an investigation be conducted into the practice of Assistant United States Attorneys giving out scripts to be read on record during plea agreement.  
Thank you, Honorable Judge Bianco, for taking the time to read my letter.

Respectfully submitted

Michael Smith.....06808-748

FROM JANUARY 2008 TO JANUARY 2014

I WAS A MEMBER OF THE 9 TREY  
BLOODS, AN ENTERPRISE WHICH  
ENGAGED IN RACKETEERING ACTIVITY  
INCLUDING DRUG DEALING, LOBBYING,  
AND THREATS OF VIOLENCE INCLUDING

~~THE KILLING OF A PERSON.~~ AT TIMES

I WAS A LEADER OF 9 TREY BLOODS

BUT NOT THE TOP LEADERSHIP.

ON JUNE 16, 2013, I AND OTHERS CONSPIRED

TO ASSAULT PETER KNUDSEN WITH GUNS,

IN RETALIATION FOR HIS ACTIONS AGAINST

A BLOODS MEMBER. I CARRIED A

GUN AT THAT TIME. ON NOVEMBER 24, 2011

I SHOT MAURICE JAMES.

ALL OF THIS ACTIVITY TOOK PLACE IN  
THE EASTERN DISTRICT OF NEW YORK.

BETWEEN JANUARY 2007 AND JANUARY 2014,

I CONSPIRED WITH OTHERS TO DISTRIBUTE  
AT LEAST 2.7 KILOS OF COCAINE BASE.

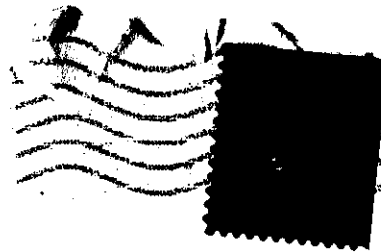
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\* Legal mail \*

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610 Federal Plaza  
Central Islip, New York 11722



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